

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PAULA M. SCHMITT,)	
)	
Plaintiff,)	
)	
vs.)	No. 22 CV 5143
)	
)	
R1 RCM, INC.,)	
)	
Defendant.)	JURY DEMAND

**COMPLAINT
AS AND FOR A FIRST CAUSE OF ACTION
DISCRIMINATION UNDER THE AMERICANS WITH DISABILITIES ACT)**

Now comes Plaintiff, **PAULA M. SCHMITT**, (“**SCHMITT**”), by and through her attorney, Michael T. Smith & Associates, brings forth this action set below against **R1 RCM,, INC.**, (“**RCM**”):

NATURE OF ACTION

1. This is an action under Title I of the Americans with Disabilities Act of 1990 and Title I of the Civil Rights Act of 1990, to correct unlawful employment practices on the basis of disability (handicap) and to make whole **SCHMITT**. Defendant, **RCM** discriminated against **SCHMITT** a qualified individual with a handicap, because of her disability, mental impairments (PTSD) and a physical impairment.

JURISDICTION AND VENUE

2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C.A. & & 451, 1331, 1337, 1343, and 1345. This action is authorized and instituted pursuant to Section 107(a) of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C.A. § 12117(a), which incorporates

by reference Sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C.A. § § 2000e-5 (f)(1) and (3), and pursuant to Section 102 of the Civil Rights Act of 1991, 42 U.S.C.A. § 1981(A) . The employment practices hereafter alleged to be unlawful were being committed in the Northern District of Illinois, Eastern Division.

3. At all times material herein and hereinafter mentioned RCM Corporation is a Corporation organized under the laws of Delaware has engaged in and employed its employees in commerce and in the production of goods and services for commerce in Illinois and between points in many states. RCM was, and is, and has been, at all times material herein, engaged in commerce within the meaning of the ADA.

4. RCM Corporation is an employer within the meaning of the ADA.

STATEMENT OF CLRCMS

5. SCHMITT repeats and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

6. Despite RCM listing itself as an equal employment company and having a policy against discrimination to the disabled, RCM intentionally discriminated against SCHMITT by subjecting SCHMITT to different terms and conditions of employment and terminated her on May 17, 2021, further, while meeting the minimum standards of her employer, RCM willfully discriminated against and subjected plaintiff to a hostile work environment because of her handicap and her needs for an accommodation.

7. This discrimination, because of her handicap and/or disability, violates her rights under the American Disability Act, by treating her differently in discipline than other co-workers, not in her protected class and by holding SCHMITT to a higher standard of performance and then interfering with Plaintiff's performance and work environment and subjecting her to termination.

8. RCM's acts and omissions violate applicable provisions of the American Disability Act.

9. The retaliatory action of RCM as set forth above has caused SCHMITT to be harmed in that SCHMITT has suffered emotional pain, humiliation, mental anguish, loss of enjoyment of life, and emotional distress. As a result of such discrimination and consequent harm, SCHMITT has suffered such damages in an amount according to proof.

10. SCHMITT has no adequate remedy at law to secure relief. If this court does not enter an order for RCM to reinstate her and enjoin the wrongful treatment suffered by SCHMITT will be irreparably injured.

11. SCHMITT filed a discrimination charge against ECOLAB with the Equal Employment Opportunity Commission (EEOC). That charge was timely filed, under the Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. § 2000e-5(e). (See Exhibit "A")

12. On November 18, 2021, SCHMITT was sent a notice from the EEOC of her right to bring this action (see Exhibit "B"), and SCHMITT timely filed this action.

**AS AND FOR A SECOND CAUSE OF ACTION
(ADA-RETALIATION)**

13. This action is authorized and instituted pursuant to Section 107(a) of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C.A. § 12117(a), which incorporates by reference Sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C.A. § § 2000e-5 (f)(1) and (3).

14. SCHMITT realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

15. RCM has intentionally retaliated against SCHMITT, based upon SCHMITT's requests for accommodations wherein, Defendant's agents created a hostile work environment for her and terminated her on May 17, 2021.

16. By reason of the retaliation of RCM, SCHMITT has suffered a loss of earnings and benefits, in addition to suffering great pain, humiliation and mental anguish, all to her damage.

17. Further, said action on the part of the RCM was done with malice and reckless disregard for SCHMITT'S protected rights.

PRAYER FOR RELIEF

WHEREFORE, the plaintiff prays that the court order such relief as is necessary to make the plaintiff whole, including:

1. Injunctive relief including reinstatement and all lost wages;
2. Compensatory Damages, according to the proofs;
3. Statutory liquidated damages due to the defendant's willful conduct;
4. Attorneys' fees and costs incurred in this action
5. Such other relief as is just and equitable.
6. The plaintiff requests a jury trial of this action.

PAULA M. SCHMITT,

By: Michael T. Smith
Michael T. Smith

Michael T. Smith

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